

**LODI CITY COUNCIL  
SPECIAL CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, AUGUST 10, 2004**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of August 10, 2004, was called to order by Mayor Hansen at 7:04 a.m.

Present: Council Members – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

Absent: Council Members – None

Also Present: City Attorney Schwabauer and City Clerk Blackston

Announcements

Mayor Hansen stated that he was misquoted in yesterday's Lodi News-Sentinel as saying the City would, in all likelihood, be dropping out of the California Public Employees' Retirement System (CalPERS). He asked that a correction be made to accurately reflect his statement that he thought, under the circumstances, that the City *should* withdraw from CalPERS.

In reference to Item B-8, City Attorney Schwabauer announced that a number of employee bargaining groups have rejected the proposal to withdraw from CalPERS and based on that action, Interim City Manager Keeter had removed the regular calendar item from today's agenda. He stated that the end result is that the City would be remaining with the CalPERS health plan.

B. CLOSED SESSION

At 7:07 a.m., Mayor Hansen adjourned the Special City Council meeting to a Closed Session to discuss the following matters:

- B-1 Actual litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- B-2 Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- B-3 Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases
- B-4 Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- B-5 Actual litigation: Government Code §54956.9(a); one case; City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM
- B-6 Actual litigation: Government Code §54956.9(a); one case; Lehman Brothers Inc., v. City of Lodi and Lodi Financing Corporation, United States District Court, Eastern District of California Case No. CIV-S-04-0850 FCD/JFM
- B-7 Actual litigation: Government Code §54956.9(a); one case; Fireman's Fund Insurance Company v. City of Lodi, et al., United States District Court, Eastern District of California Case No. CIV-S-98-1489 FCD JFM
- B-8 Conference with labor negotiator, Human Resources Director Joanne Narloch, regarding health insurance coverage provided to the following employee organizations: Association of Lodi City Employees regarding General Services and Maintenance and Operators; Lodi Police Dispatchers Association; Police Officers Association of Lodi; Lodi Professional Firefighters; International Brotherhood of Electrical Workers; Confidential Employees; and Management, Mid-Management, Fire Mid-Management, and Police Mid-Management employees pursuant to Government Code §54957.6

The Closed Session adjourned at 8:10 a.m.

*Continued August 10, 2004*

C. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 8:10 a.m., Mayor Hansen reconvened the Special City Council meeting, and City Attorney Schwabauer disclosed that there was no reportable action taken in closed session.

D. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:10 a.m.

ATTEST:

Susan J. Blackston  
City Clerk